

House Resolution 740

By: Representative Sims of the 169th

A RESOLUTION

1 Creating the House Study Committee on Sales and Use Tax Exemptions; and for other
2 purposes.

3 WHEREAS, Code Section 48-8-30 of the O.C.G.A. generally imposes a state tax on "the
4 retail purchase, retail sale, rental, storage, use, or consumption of tangible personal property"
5 and on certain services; and

6 WHEREAS, over the course of many years, numerous exemptions for sales and use of
7 various types of property and for sales or purchases made by various types of entities have
8 been added by law; and

9 WHEREAS, Code Section 48-8-3 alone contains more than 100 separately numbered
10 paragraphs of exemptions from the state sales and use tax, and other exemptions are provided
11 elsewhere in law; and

12 WHEREAS, the number and character of such exemptions raises issues of fairness and
13 special treatment; and

14 WHEREAS, such numerous exemptions may be likened to blasts of grapeshot aimed at the
15 waterline of the ship of state: while each individual hole may not appear large in and of itself,
16 they may collectively leak enough water to cause the ship to list badly or even sink; and

17 WHEREAS, there is a pressing need to thoroughly examine all of the various sales and use
18 tax exemptions provided by law to determine whether it is appropriate to eliminate or reduce
19 any of such exemptions and, if so, which ones.

20 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that
21 there is created the House Study Committee on Sales and Use Tax Exemptions to be
22 composed of the Speaker Pro Tempore of the House, the chairperson and the vice

23 chairperson of the House Committee on Ways and Means, and three members of the House
24 of Representatives to be appointed by the Speaker of the House of Representatives. The
25 Speaker shall designate a member of the committee as chairperson of the committee. The
26 chairperson shall call all meetings of the committee.

27 BE IT FURTHER RESOLVED that the committee shall undertake a study of the conditions,
28 needs, issues, and problems mentioned above or related thereto and recommend any action
29 or legislation which the committee deems necessary or appropriate. The committee may
30 conduct such meetings at such places and at such times as it may deem necessary or
31 convenient to enable it to exercise fully and effectively its powers, perform its duties, and
32 accomplish the objectives and purposes of this resolution. The members of the committee
33 shall receive the allowances provided for in Code Section 28-1-8 of the Official Code of
34 Georgia Annotated. The allowances authorized by this resolution shall not be received by
35 any member of the committee for more than three days unless additional days are authorized.
36 The funds necessary to carry out the provisions of this resolution shall come from the funds
37 appropriated to the House of Representatives. In the event the committee makes a report of
38 its findings and recommendations, with suggestions for proposed legislation, if any, such
39 report shall be made on or before December 1, 2009. The committee shall stand abolished
40 on December 1, 2009.